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*Admitted only in Maryland
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July 8, 2002

WRITER'S DIRECT NUMBER:
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Box Missing Parts

Re: U.S. Utility Patent Application
Appl. No. 10/005,876; Filed: December 7, 2001
For: **Methods and Compositions for Synthesis of Nucleic Acid
Molecules Using Multiple Recombination Sites**
Inventors: Chesnut *et al.*
Our Ref: 0942.5340002/RWE/BJD

Sir:

In reply to the Notice to File Missing Parts of Application--Filing Date Granted and Notice to Comply with Sequence Rules dated April 8, 2002, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Copy of the Notice to File Missing Parts (which includes notice of non-compliance with sequence rules);
2. PTO Fee Transmittal Form PTO/SB/17;
3. Petition For Extension of Time Under 37 C.F.R. § 1.136(a)(1);
4. Multiple copies of the original Declaration, executed by all of the inventors (30 pages);
5. Paper (35 pages) and computer readable copy of Sequence Listing;
6. Letter to PTO Draftsman: Submission of Formal Drawings;

Commissioner for Patents
July 8, 2002
Page 2

7. 49 sheets of formal drawings with Figures 1-7, 8A, 8B, 9A/9B/9C, 9D, 10A/10B, 11A/11B/11C/11D/11E/11F, 12A/12B/12C/12D, 13-21, 22A, 22B, 23A, 23B, 24A, 24B, 24C, 25A, 25B, 25C, 26-29, 30A/30B, 30C, and 31-40;
8. Return postcard; and
9. Our Check No. 35730 for \$1430.00 to cover:

\$740.00	Filing Fee for Patent Application (37 C.F.R. § 1.16)
\$450.00	Fee for excess claims (37 C.F.R. § 1.16)
\$130.00	Surcharge for late filing of Declaration (37 C.F.R. § 1.16)
\$110.00	For extension of time fees under 37 C.F.R. § 1.136.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

In accordance with 37 C.F.R. § 1.821(f), the paper copy and the computer readable copy of the Sequence Listing submitted herewith are the same. In accordance with 37 C.F.R. § 1.821(g), the submission of this sequence listing includes no new matter.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Brian J. Del Buono
Attorney for Applicants
Registration No. 42,473

BJD/nef
Enclosures

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SKGF Rev. 2/15/02 dcw

#4



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/005,876	12/07/2001	Jonathan D. Chesnut	0942.5340002/RWE/BJD

CONFIRMATION NO. 7958

26111

STERNE, KESSLER, GOLDSTEIN & FOX PLLC
1100 NEW YORK AVENUE, N.W., SUITE 600
WASHINGTON, DC 20005-3934



FORMALITIES LETTER



OC000000007821980

Date Mailed: 04/08/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$450.
 - \$450 for 25 total claims over 20.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1320.**

07/11/2002 STEINEL 00000076 10005876
01 FC:101 740.00
02 FC:103 450.00
03 FC:105 130.00

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May

15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Chesnut *et al.*

Appl. No. 10/005,876

Filed: December 7, 2000

For: **Methods and Compositions for
Synthesis of Nucleic Acid
Molecules Using Multiple
Recognition Sites**



Confirmation No. 7958

Art Unit: 1645

Examiner: *To be assigned*

Atty. Docket: 0942.5340002/RWE/BJD

Letter to PTO Draftsman: Submission of Formal Drawings

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith are 49 sheets of formal drawings with Figures 1-7, 8A, 8B, 9A/9B/9C, 9D, 10A/10B, 11A/11B/11C/11D/11E/11F, 12A/12B/12C/12D, 13-21, 22A, 22B, 23A, 23B, 24A, 24B, 24C, 25A, 25B, 25C, 26-29, 30A/30B, 30C, and 31-40, corresponding to the informal drawings submitted with the above-captioned application. Identification of the drawings is provided in accordance with 37 C.F.R. § 1.84(c). Acknowledgment of the receipt, approval, and entry of these formal drawings into this application is respectfully requested.

It is not believed that an extension of time is required, other than any already provided herewith. However, if an extension of time is needed to prevent abandonment of the application, then such extension of time is hereby petitioned. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Brian J. Del Buono".

Brian J. Del Buono
Attorney for Applicants
Registration No. 42,473

Date: July 8, 2002

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